

Regular Session, 2010

HOUSE BILL NO. 140

BY REPRESENTATIVE LITTLE

MOTOR VEHICLES: Removes certain restrictions on the use of mini-trucks on state roads and highways

1 AN ACT

2 To amend and reenact R.S. 32:297.1 and R.S. 47:462(A)(introductory paragraph) and (1)
3 and (B)(3)(a)(introductory paragraph) and to enact R.S. 47:462(D), relative to mini-
4 trucks; to remove restrictions on the use of mini-trucks on state roads and highways;
5 to require the office of motor vehicles to register mini-trucks; to provide for the
6 definition of mini-truck; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:297.1 is hereby amended and reenacted to read as follows:

9 §297.1. ~~Low rider vehicles~~ Mini-trucks; registration

10 A. It shall be lawful to operate ~~mini-vehicles~~ mini-trucks powered by a
11 motor with a displacement of six hundred sixty cubic centimeters or more on the
12 streets and highways, except interstate highways, in this state, ~~if such vehicle meets~~
13 ~~all applicable federal and state safety and emissions standards, if such vehicle meets~~
14 all state safety standards. Furthermore, all mini-vehicles operating on the streets and
15 highways in this state shall bear a valid safety inspection certificate issued by the
16 state of Louisiana.

17 B.(1) Any mini-truck operated upon any divided highway, highway,
18 roadway, or street in this state shall be registered with the state of Louisiana, office
19 of motor vehicles, in the same manner as motor vehicles intended for personal use.
20 A mini-truck shall be issued a license plate, and the owner shall be required to pay

1 a registration license fee to be collected by the office of motor vehicles as provided
2 for in R.S. 47:462.

3 (2) Any mini-truck operated upon any divided highway, highway, roadway,
4 or street in this state shall be required to comply with the provisions of R.S. 32:861,
5 862, and 863.1, relative to compulsory motor vehicle liability security.

6 (3) No mini-truck shall be operated upon any divided highway, highway,
7 roadway, or street in this state by an unlicensed driver.

8 C. The office of motor vehicles may require presentation of a notarized
9 translation of a mini-truck title presented in a foreign language, if necessary. The
10 translation shall be provided at the expense of the applicant.

11 D. As used in this Section, "mini-truck" shall mean any four-wheeled,
12 reduced dimension truck that does not have a National Highway Safety
13 Administration classification, with a top speed of fifty-five miles per hour, equipped
14 with a truck bed or compartment for hauling, and having an enclosed passenger cab.
15 Mini-truck shall not mean an "all-terrain vehicle" as defined by R.S. 32:1252(1) or
16 "off-road vehicle" as defined by R.S. 30:2412(5.2).

17 E. The Department of Public Safety and Corrections, office of motor
18 vehicles, shall adopt rules and regulations in accordance with the Administrative
19 Procedure Act, subject to oversight by the House and Senate committees on
20 transportation, highways and public works, as are necessary to implement the
21 provisions of this Section.

22 Section 2. R.S. 47:462(A)(introductory paragraph) and(1) and (B)(3)(a)(introductory
23 paragraph) are hereby amended and reenacted, and R.S. 47:462(D) is hereby enacted to read
24 as follows:

25 §462. Trucks and trailers

26 A. Classification.

27 For the purpose of registration and licensing hereunder, trucks, tandem
28 trucks, truck-tractors, semitrailers, mini-trucks, as defined by R.S. 32:297.1(D), and
29 trailers shall be classified as follows:

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(1) Mini-trucks, as defined by R.S. 32:297.1(D) or those ~~Those~~ carrying or

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transporting freight, merchandise, or other property except those included in Class

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4 in Paragraph (4) of this Subsection shall be Class 1.

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B. Rates

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(3)(a) For each mini-truck as defined by R.S. 32:297.1, truck, tandem truck,

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truck-tractor, or truck, tandem truck, or truck-tractor used in combination with a

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trailer or semitrailer, an annual registration or license tax shall be collected by the

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commissioner or through such agency as he may designate in amounts fixed by the

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following schedule:

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D. Any mini-truck, as defined by R.S. 32:297.1(D), which is registered in

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this state shall be issued a license plate indicating that it is a "mini-truck".

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Little

HB No. 140

Abstract: Removes restrictions on the use of mini-trucks on state roads and highways and requires OMV to register mini-trucks as trucks.

Present law authorizes the operation of mini-trucks powered by a motor with a displacement of 660 cubic centimeters or more on the streets and highways in this state, excluding the interstate highways. Present law provides that the mini-vehicles must first meet federal and state safety and emission standards and bear a state inspection sticker. Present law becomes void if it results in the loss of federal highway funds.

Proposed law removes references to "mini-vehicles" and refers to the vehicles as "mini-trucks".

Proposed law removes the requirement that the mini-trucks must first meet all applicable federal safety and emissions standards.

Proposed law retains requirement that the mini-trucks must meet state safety standards.

Proposed law requires the office motor vehicles to register mini-trucks and that the license plate issued to a mini-truck indicate that it is a mini-truck.

Proposed law requires that mini-trucks comply with the compulsory motor vehicle liability security provisions of present law.

Proposed law requires operators of mini-trucks to have a driver's license.

Proposed law provides for a definition of "mini-truck".

Proposed law requires DPS&C, office of motor vehicles, to adopt rules and regulations if necessary to implement proposed law.

(Amends R.S. 32:297.1 and R.S. 47:462(A)(intro. para.) and (1) and (B)(3)(a)(intro. para.); Adds R.S. 47:462(D))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Removed references to "mini-vehicles" and refers to the vehicles as "mini-trucks".
2. Required that the mini-trucks must meet state safety standards.
3. Required the office of motor vehicles to register mini-trucks and that the license plate issued to a mini-truck shall indicate that it is a mini-truck.
4. Required that mini-trucks comply with the compulsory motor vehicle liability security provisions of present law.
5. Required operators of mini-trucks to have a driver's license.
6. Provided for a definition of "mini-truck".
7. Required DPS&C, office of motor vehicles, to adopt rules and regulations if necessary to implement proposed law.